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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4093 OF 2007

Shri Dattu Popatrao Hire & ors. ... Petitioners

V/s

M/s. Zylog Plastialloys P. Ltd. & anr. ... Respondents

Mr. Bhavesh Parmar for the petitioners.

Mrs. Anjali Helekar for the respondents.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 7TH AUGUST, 2007.

P.C.:

1. The petitioners challenge the Award dated 18.12.2004 passed in Reference (IDA) Nos. 51, 52, 55, 102 of 1997 and 21 of 1998. A common award was passed in these references.

2. The Labour Court after considering the evidence on record has held that the workmen i.e. the petitioner workmen were unable to prove that they were employed by the respondent No.1. In these circumstances, the Labour Court has rejected the reference. The only evidence brought forth by the petitioners to prove their employment was certain photographs which the Labour

Court has rightly discarded.

3. Apart from this, the Labour Court was of the view that the petitioners have suppressed certain information in respect of their claim by their Union regarding the declaration that the lock out was illegal.

4. Apart from this, the award of the Labour Court is dated 18.12.2004. The writ petition has been filed on 2.4.2007. There is no explanation in the writ petition as to why there has been such an inordinate delay in approaching the Court.

5. No interference is called for by this Court under Art. 227 of the Constitution.

5. Petition rejected.

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